

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

LISA LOU RUSSELL,

Plaintiff,

v.

**COMMISSIONER OF
SOCIAL SECURITY,**

Defendant.

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Case No. 2:15-cv-407

JUDGE ALGENON L. MARBLEY

Magistrate Judge Kemp

ORDER

This matter comes before the Court on the parties' Joint Stipulation to Attorneys' Fees and Expenses under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2414. (Doc. 28). The parties jointly stipulate and petition this Court to enter an award to Plaintiff Lisa Lou Russell in the amount of \$5,500 for "all of Plaintiff's claims for fees, costs, and expenses under 28 U.S.C. § 2412, that may be payable for counsel's work before the Court in this case." (*Id.*).

The Commissioner states that any fees paid under this award belong to Ms. Russell, and not her attorney, and can be offset to satisfy any pre-existing debt that Ms. Russell owes to the United States. *See Astrue v. Ratcliff*, 560 U.S. 586 (2010). After the Court enters this award, counsel for both parties shall verify that Ms. Russell owes no pre-existing debt to the United States subject to offset; then, the Commissioner agrees to make the award payable to Ms. Russell's attorney pursuant to a valid EAJA assignment signed by Ms. Russell and her attorney.

In light of the foregoing, the Court **GRANTS** the parties' Joint Stipulation to Attorneys' Fees to Ms. Russell in the amount of \$5,500. (Doc. 28). The Court **DENIES AS MOOT** Ms. Russell's earlier Motion for Attorneys' Fees. (Doc. 26).

IT IS SO ORDERED.

/s/ Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT JUDGE

DATED: July 18, 2016